

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CHENG CHEN, FAN CHAO ZENG, Individually and
on behalf of all other employees similarly situated,

Plaintiffs,

-against-

LUMIX HIBACHI RESTAURANT INC. d/b/a
LUMIX HIBACHI, QI LIN, MEI YU ZHANG, JIAN
XIONG CHEN, TOMMY "Doe", John Doe and Jane
Doe # 1-10

Defendants.

Civil Action No.:2:15-cv-04128-JS

**STIPULATION RE GENERAL
RELEASE OF ALL CLAIMS BY
EMPLOYEES PROVISION**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for Plaintiffs and Defendants in the above captioned action, that the settlement agreement in this matter is modified to replace original paragraph 3. General Release of All Claims by EMPLOYEES with the following paragraph:

"3. Releases.

a. Plaintiffs' Release. Plaintiffs, in consideration of the Settlement Payment set forth in Paragraph 1, release and forever discharge Defendants and their respective current, former, and future heirs, executors, administrators, fiduciaries, insurers, agents, attorneys parents, subsidiaries, divisions, affiliates, predecessors, successors and assigns, including LUMIX HIBACHI RESTAURANT, INC. (Defendants and the foregoing other persons and entities are hereinafter defined separately and collectively as "Defendants' Releasees) from all FLSA and New York Labor Law and New York General Business Law claims relating in any way to the Complaint. This release shall not apply to those claims, if any, that cannot be released as a matter of law under controlling legal authorities.

b. **Defendants' Release.** Defendants, on behalf of themselves and Defendants' Releasees, including LUMIX HIBACHI RESTAURANT, INC., in consideration of Plaintiffs' Release as set forth in Paragraph 3a of this Agreement and for the other promises and covenants contained in this Agreement, release and forever discharge Plaintiffs, and their respective current, former, and future heirs, executors, administrators, fiduciaries, insurers, agents, attorneys, successors, and assigns, and all persons acting by, through, under, or in concert with any of them, in their individual or representative capacities (Plaintiffs and the foregoing other persons and entities are hereinafter defined separately and collectively as "Plaintiffs' Releasees"), from all FLSA and New York Labor Law and New York General Business Law claims relating in any way to the Complaint. This release shall not apply to those claims, if any, that cannot be released as a matter of law under controlling legal authorities."

Hang & Associates, PLLC

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April 13, 2016

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Attorneys for Defendants
April 13, 2016

SO ORDERED.
